IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 12TH OCTOBER 2006 / 20TH ASWINA 1928

Bail Appl..No. 6089 of 2006()

CRIME N O.217/2006 OF KUTTIPPURAM POLICE STATION.

PETITIONER/ACCUSED

HILAL, S/O.AYSAKUTTY,
KAYALVAKKATH HOUSE, THAVANOOR P.O.,
PONNANI.

BY ADV. SRI.DILIP MOHAN

RESPONDENTS: COMPLAINANT/STATE

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1. STATE OF KERALA, REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. STATION HOUSE OFFICER, KUTTIPPURAM POLICE STATION, KUTTIPPURAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M. JAMES, J.

Bail Application No. 6089 of 2006

Dated this the 12th October, 2006.

O R D E R

Petitioner apprehends arrest in Crime No.217/2006 of Kuttippuram Police Station, for the offence punishable under Sections 323, 325 and 452 IPC. It is alleged that the petitioner had trespassed into the house of the de facto complainant, a old woman of 85 years, and assaulted her, because of which she sustained injuries including fracture Humerus Upper End on the right arm. Hence, the petitioner is before this Court under Section 438 Cr.P.C. for a pre arrest order.

2. I heard the arguments advanced by both sides. I have also perused the C.D.file. Considering the facts situation, I dispose of the application, directing the petitioner to surrender before the Investigating Officer of Kuttippuram Police Station, who is investigating the Crime No.217/2006 of that police station, on 19.10.2006, between 9.30 and 10 a.m.

3. The investigating officer shall interrogate the petitioner, and thereafter produce him before the competent Magistrate Court, as per the law.

4. The learned Magistrate shall hear both sides, and pass appropriate orders on merit, on the bail application that would be filed by the petitioner, on the date of production itself.

J.M. JAMES,
JUDGE

nj.